

HARBOR-UCLA MEDICAL CENTER

SUBJECT: WAIVER OF RIGHTS

POLICY NO. 705

PURPOSE:

This document sets forth the policy of Harbor-UCLA Medical Center, prohibiting the conditioning of Treatment, Payment, enrollment in a Health Plan or eligibility for benefits on an individual's waiver of rights under the Privacy Standards of the Health Insurance Portability and Accountability Act (HIPAA) of 1996.

POLICY:

Harbor-UCLA Medical Center will not require individuals to waive any of their rights under HIPAA as a condition to providing the individual with treatment, payment, enrollment in a Health Plan or eligibility for benefits.

DEFINITIONS:

Workforce Member means those employees, volunteers, trainees, and other persons whose conduct, in the performance of work for Harbor-UCLA Medical Center, is under the direct control of such entity, whether or not they are paid by Harbor-UCLA Medical Center.

PROCEDURE:

- I. The Privacy Officer must investigate reports or complaints that Harbor-UCLA Medical Center acted to condition Treatment, Payment, enrollment in a Health Plan or eligibility for benefits on a waiver of the rights that individuals have under HIPAA.
- II. The Privacy Officer, together with the Human Resources Department, must apply appropriate sanctions against any Workforce Member found to have violated this policy, in accordance with DHS Policy No. 361.10, "Disciplinary actions for Failure to Comply with Privacy Policies and Procedures".
- III. Individuals who believe they have been treated in a manner that violates this Policy, must file a complaint with DHS, Harbor-UCLA Medical Center, the Chief Information Privacy Officer or Federal government in accordance with DHS Policy No. 361.11, "Complaints Related to the Privacy

EFFECTIVE DATE: 04/14/03

SUPERSEDES:

REVISED:

REVIEWED: 12/08, 05/14, 07/17

REVIEWED COMMITTEE: N/A

APPROVED BY: _____

Kim McKenzie, RN, MSN, CPHQ
Chief Executive Officer

Anish Mahajan, MD
Chief Medical Officer

Patricia Soltero Sanchez, RN, BSN, MAOM
Chief Nursing Officer

Signature(s) on File.

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of Protected Health Information (PHI)” of with the Secretary of the Department of Health and Human Services.

REFERENCES:

45 Code of Federal Regulations, Parts 160 and 164

DHS Policy No. 361.10, “Disciplinary Actions for Failure to Comply with Privacy Policies and Procedures

DHS Policy No. 361.11, “Complaints Related to the Privacy of Protected Health Information (PHI)